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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,308	05/04/2006	Yoshimasa Sakata	062490	5752
38834 7590 12/02/2008 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
MATZEK, MATTHEW D				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
12/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/578,308

Applicant(s)

SAKATA ET AL.

Examiner

MATTHEW D. MATZEK

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

1. The amendment dated 8/18/2008 has been fully considered and entered into the Record. Claims 1-6 remain pending and have not been amended. The certified translation of the Japanese application (JP 2003-377151) has been received and entered into the Record perfecting foreign priority. The previously applied rejection made in view of Hashimoto has been withdrawn due to the perfection of foreign priority.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (WO 03/081322 A2) in view of Sadao (JP 11-002812). Examiner has relied upon the translation of this JP reference provided by Applicant for the basis of this rejection.

- a. Ito discloses a polarizing plate which includes a polymer film, a polarizer, a polymer substrate and an optically anisotropic layer containing liquid crystal (abstract). The invention of Ito may comprise a second polarizing plate and the plates are placed perpendicular to one another (page 11). Placing a polarizing plate on either side of the liquid crystal cell forms a liquid crystal display (LCD) (page 6). Ito fails to teach or suggest the use of a woven glass fabric in the polymer substrate layer or the use of barrier and hard-coating layers.
- b. Sadao discloses a LCD comprising a layer of glass cloth impregnated with resin (abstract). The glass cloth may be woven [0028]. The LCD may further comprise gas barrier and hard-coating layers [0006-7].

- c. Since Ito and Sadao are from the same field of endeavor (i.e. LCDs), the purpose disclosed by Sadao would have been recognized in the pertinent art of Ito.
- d. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention of Ito with woven glass fabric and protective layers of Sadao with the motivation of providing improved protective properties to the LCD and decreasing the weight of the LCD with inclusion of the reinforcing fabric.
- e. The disclosures of Ito and Sadao fail to teach or suggest the orientation of the woven glass fabric of the polymeric substrate layer at an angle of 5 degrees or less relative to an absorption axis of the polarizing plate. However, it would have been obvious to one of ordinary skill in the art to have oriented the woven glass fabric in the claimed manner as aligning the fibers along with the absorption axis (zero degrees relative to axis) would avoid the introduction of a third axis into the LCD, which might distort the image.

Response to Arguments

- 3. Applicant's arguments filed 8/18/2008 have been fully considered but they are not persuasive.
- 4. Applicant argues that Ito and Sadao individually or taken in combination fail to disclose any one of weft yarn and warp yarn of the glass cloth is oriented at an angle of 5 degrees or less to an absorption axis of the polarizing plate, nor do they provide any motivation to employ the aforementioned structural feature. Sadao provides for the use of a woven glass cloth for use in a LCD. It would have been obvious to one of ordinary skill in the art to have oriented the woven

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glass fabric in the claimed manner as aligning the fibers along with the absorption axis (zero degrees relative to axis) would avoid the introduction of a third axis into the LCD, which might distort the image.

5. Applicant argues that the laminated film of claim 1 is excellent in terms of mechanical strength and low coefficient of thermal expansion, as well as excellent in terms of display quality of an image display device; none of these features are taught or suggested by the applied references. The aforementioned features are not claimed by Applicant. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, the claimed structure and composition would be provided for in the combination of Ito and Sadao and as such would necessarily possess the aforementioned attributes.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW D. MATZEK whose telephone number is (571)272-2423. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Tarazano can be reached on 571.272.1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew D Matzek/
Examiner, Art Unit 1794

/Norca L. Torres-Velazquez/
Primary Examiner, Art Unit 1794